

# UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

In re:

VICTOR LORENZO FAISON,

*Debtor.*

Case No. 22-70098-FJS

Chapter 13

## DISMISSAL ORDER

This matter comes before the Court on the voluntary chapter 13 petition filed by the above-captioned *pro se* Debtor on January 25, 2022. The Debtor is also a debtor in a chapter 13 case filed on May 24, 2019 (the “First Case”), which remains pending before this Court. *See In re Victor Lorenzo Faison*, Case No. 19-72037-FJS. The Debtor has not received a discharge in the above-captioned case or the First Case, and neither case has been dismissed or closed.

Under these facts, the Debtor cannot be a debtor in both cases. *See In re Parson*, No. 01-73786-SCS, 2007 WL 3306678, at \* 12 (Bankr. E.D. Va. Nov. 6, 2007) (quoting *Baltrotsky v. K.H. Funding, Inc. (In re Baltrotsky)*, No. Civ. A. DKC2004-2643, 2004 WL 2937537, at \* 4 (D. Md. Dec. 20, 2004) (citation omitted)) (internal quotation marks omitted) (“This concept has been embodied in the ‘single estate rule’ which holds that ‘a debtor cannot maintain simultaneous bankruptcy cases because [a] debtor possesses only one estate for purposes of trusteeship.’”). Therefore, the Court finds that the above-captioned bankruptcy case must be dismissed because the Debtor cannot be a debtor in two separate, simultaneously-pending bankruptcy cases.

Accordingly, the Court ORDERS that the above-captioned case, Case No. 22-70098-FJS, is DISMISSED.

The Debtor is advised that the dismissal of this case does not impact his ability to be a debtor in Case No. 19-72037-FJS.

The Clerk shall deliver copies of this Order to the Debtor, the Debtor's attorney in the First Case, Michael P. Cotter, R. Clinton Stackhouse, Jr., the Office of the United States Trustee, and all creditors and other parties in interest.

IT IS SO ORDERED.

Jan 26 2022

/s/ Frank J Santoro

FRANK J. SANTORO

Chief United States Bankruptcy Judge

Entered On Docket: Jan 27 2022